

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Graham P. Allaway, et al.
Serial No. : Not Yet Known (continuation of U.S. Serial No. 09/724,105, filed November 28, 2000)
Filed : May 9, 2001
For : USES OF A CHEMOKINE RECEPTOR FOR INHIBITING HIV-1 INFECTION

1185 Avenue of the Americas
New York, New York 10036
May 9, 2001

Assistant Commissioner for Patents
Washington, D.C. 20231
Box: Patent Application

SIR:

PRELIMINARY AMENDMENT

Please amend the subject application as follows:

In the specification:

On page 1, line 1, after the title, please delete the paragraph beginning with "This application claims priority..." and insert the following paragraph:

--This application is a continuation of U.S. Serial No. 09/724,105, filed November 28, 2000, which is a continuation of U.S. Serial No. U.S. Serial No. 08/874,618, filed June 13, 1997, now abandoned, which claims priority of U.S. Provisional Application No. 60/019,941, filed June 14, 1996, now abandoned, the contents of which are hereby incorporated by reference into this application.--

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In the claims:

Please cancel claims 1-48 without prejudice or disclaimer to applicants' right to pursue the subject matter of these claims in a later-filed application. Please add claims 49-55 as follows:

- 49. (New) An agent which comprises consecutive amino acids, which amino acids have a sequence identical to a sequence within a portion of an amino terminal domain of a CCR5 chemokine receptor, wherein the amino terminal domain of the CCR5 chemokine receptor is set forth in SEQ ID NO:5.--
- 50. (New) The agent of claim 49, wherein the consecutive amino acids have the sequence set forth in SEQ ID NO:5.--
- 51. (New) The agent of claim 49 or 50, wherein the consecutive amino acids are identical to the corresponding original consecutive amino acids present in the CCR5 chemokine receptor.--
- 52. (New) The agent of claim 49 or 50, wherein the consecutive amino acids are modified from the corresponding consecutive amino acids present in the CCR5 chemokine receptor.--
- 53. (New) The agent of claim 49 or 50, wherein the agent is a polypeptide.--
- 54. (New) A composition which comprises a carrier and an amount of the agent of claim 49 or 50 effective to

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inhibit HIV-1 infection of a CD4+ cell.--

--55. (New) A method of inhibiting HIV-1 infection of a CD4+ cell which comprises contacting the CD4+ cell with the agent of claim 49 or 50 in an amount and under conditions such that fusion of HIV-1 or an HIV-1 infected cell to the CD4+ cell is inhibited, so as to thereby inhibit HIV-1 infection of the CD4+ cell.--

Remarks:

Claims 1-48 are pending in the subject application. Applicants have hereinabove canceled claims 1-48 without prejudice or disclaimer to applicants' right to pursue the subject matter of these claims in a later-filed application and added claims 49-55. Support for this amendment may be found inter alia in the specification as follows: claims 49-52: page 13, lines 2-35; page 16, lines 18-21; claim 53: page 13, lines 2-3; claim 54: page 14, lines 16-19; and claims 55: page 16, lines 4-20. These amendments do not involve any issue of new matter. Accordingly, entry of this amendment is respectfully requested such that claims 49-55 will be pending.

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorneys invites the Examiner to telephone either of them at the number provided below.

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No fee, in addition to the enclosed \$490.00 fee which includes the filing fee of \$355.00 and the \$135.00 fee for additional claims, is deemed necessary in connection with the filing of this Preliminary Amendment. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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